

REMARKS

Applicant requests reconsideration of the present application in view of the foregoing amendments and the discussion that follows. The status of the claims is as follows. Claims 1- 37 were canceled previously without prejudice to Applicant's filing of divisional applications to the separately patentable subject matter thereof. Claims 38-67 are pending. Claim 38 has been amended herein.

The Amendment

Claim 38 was amended to recite that the top element or the bottom element is movable with respect to the other in a linear direction during the aerodynamic seal. Support therefor is in the Specification, for example, original Claim 8 and page 31, lines 4-5.

Objection to the Drawings

Formal drawings were submitted previously and the Office Action indicated that these formal drawings were accepted.

Rejection under 35 U.S.C. §102

Claims 38-47 were rejected under 35 U.S.C. 102(e) as being anticipated by Sommereisen (U.S. Patent No. 6,517079).

In order to maintain a rejection under 35 U.S.C. §102(b), the Examiner must first establish a *prima facie* case of anticipation. An invention is anticipated if each and every limitation of the claimed invention is disclosed in a single prior art reference. *In re Paulsen*, 30 F.3d 1475, 1478, 31 U.S.P.Q.2d 1671, 1673 (Fed. Cir. 1994). In the present situation Sommereisen does not disclose each and every element of the claimed invention. Sommereisen fails to disclose or suggest a method of forming a chamber having an aerodynamic seal between two elements (arbitrarily referred to as a top element and a bottom element) where the top element or the bottom element is movable with respect to the other in a linear direction during the aerodynamic seal. As a matter of fact, the elements of Sommereisen to which the Office Action refers are, presumably, gas supply bodies 4, 5, 6 and 7 having nozzles 13, 14, 15 and 16. The gas supply bodies are mounted to a frame so that they cannot move in a linear direction with respect to one another. The only movement that these gas supply bodies can exhibit is rotation. Furthermore, it is submitted that

Sommereisen's chamber is already formed and that the gas supply bodies of Sommereisen presumably referred to in the Office Action are not elements that form a chamber but are, rather, rotating gas inlets to provide a gas to the upper and lower portions of a sheet that is inserted into a preformed chamber. See, for example, the disclosure of Sommereisen at column 3, lines 14-15, where the patentee states that the "jet axis of the pressure nozzles is rotated in the direction of the chamber" (emphasis added).

Sommereisen does not disclose or suggest the invention of Claim 39 wherein a gas is introduced adjacent the perimeter of top and bottom elements that form a chamber. Gas exits from a gas supply body of the reference through a nozzle that directs the gas at a sheet metal strip inserted into a preformed chamber.

Sommereisen does not disclose or suggest the invention of Claim 40 wherein a bottom element comprises side walls and a gas is introduced through openings in the walls. As mentioned above, gas exits from a gas supply body of the reference through a nozzle that directs the gas at a sheet metal strip inserted into a preformed chamber.

Claims 42, 43, 44, 45 and 47 depend from Claim 38, which is not disclosed by Sommereisen as explained above. Consequently, for at least the above reasons, Claims 42, 43, 44, 45 and 47 are not anticipated by the disclosure of Sommereisen.

Rejection under 35 U.S.C. §103

Claims 41 and 46 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sommereisen. Claims 41 and 46 depend from Claim 38, which is not disclosed or suggested by Sommereisen as explained above. Consequently, for at least the above reasons, Sommereisen does not suggest Claims 41 and 46 because the reference does not disclose all of the elements of the parent claim.

Allowable Subject Matter

The Office Action indicated that the subject matter of Claims 48-68 is free of the prior art of record. Accordingly, Claims 48-68 are allowable.

Conclusion

Claims 38-47 satisfy the requirements of 35 U.S.C. §§102 and 103. The Office Action indicated that Claims 48-68 are allowable. Allowance of the above-identified patent application, it is submitted, is in order.

Respectfully submitted,

A handwritten signature in black ink, reading "Theodore J. Leitereg". The signature is fluid and cursive, with the first and last names being more prominent.

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